

USDC UT Approved 06/06/00 Revised 11/03/00

United States District Court District of Utah

FILED
CLERK, U.S. DISTRICT COURT
18 MAR 03 AM 10:30
DISTRICT OF UTAH
BY: DEPUTY CLERK

UNITED STATES OF AMERICA

vs.

JUDGMENT IN A CRIMINAL CASE

(For Offenses Committed On or After November 1, 1987)

Ryan D. Hesse

aka Brian Duggan

aka Ryan Dugan

aka Dustin Craven

Case Number: 2:02-CR-00193-001-TC

Plaintiff Attorney: Veda Travis, AUSA

Defendant Attorney: Stephen McCaughey, Esq.

Atty: CJA ___ Ret ___ FPD ___

Defendant's Soc. Sec. No.: _____

Defendant's Date of Birth: 02/05/1973

03/13/03

Date of Imposition of Sentence

Defendant's USM No.: 09543-081

Defendant's Residence Address:

2178 De Beers Street

Sandy, Utah 84093

Defendant's Mailing Address:

same

Country _____

Country _____

THE DEFENDANT:

☒ pleaded guilty to count(s)I of indictment☐ pleaded nolo contendere to count(s)
which was accepted by the court.☐ was found guilty on count(s)

COP 11/14/2002 Verdict _____

Title & Section

18 USC § 922(g)(1)

Nature of Offense

Felon in Possession of a Firearm

CountNumber(s)

I

Entered on docket

3-18-03 by:


Deputy Clerk
☐ The defendant has been found not guilty on count(s) _____☒ Count(s) II of indictment (is)(are) dismissed on the motion of the United States.

SENTENCE

Pursuant to the Sentencing Reform Act of 1984, it is the judgment and order of the Court that the defendant be committed to the custody of the United States Bureau of Prisons for a term of 63 months (to run concurrently with state sentence #011914226).

Upon release from confinement, the defendant shall be placed on supervised release for a term of 36 months.

☐ The defendant is placed on Probation for a period of _____.
The defendant shall not illegally possess a controlled substance.

31

Defendant: Ryan D. Hesse
Case Number: 2:02-CR-00193-001-TC

Page 2 of 5

For offenses committed on or after September 13, 1994:

The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of placement on probation and at least two periodic drug tests thereafter, as directed by the probation officer.

- ☐ The above drug testing condition is suspended based on the court's determination that the defendant possesses a low risk of future substance abuse. (Check if applicable.)

SPECIAL CONDITIONS OF SUPERVISED RELEASE/PROBATION

In addition to all Standard Conditions of (Supervised Release or Probation) set forth in PROBATION FORM 7A, the following Special Conditions are imposed: (see attachment if necessary)

1. The defendant shall participate in drug and alcohol aftercare treatment under a co-payment plan, as directed by the USPO.
2. The defendant shall complete a mental health evaluation and abide by any treatment deemed appropriate, including medications if prescribed by a physician, under a co-payment plan as directed by the probation office.
3. The defendant shall not possess or consume alcohol.
4. As directed by the USPO, the defendant will submit to drug testing and pay an initial \$115 fee and additional costs associated with confirmation testing of positive results.
5. The defendant shall maintain full-time, verifiable employment or participate in academic or vocational development throughout the term of supervision as deemed appropriate by the probation office.
6. The defendant shall submit his person, residence, office, or vehicle to a search, conducted by a USPO at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of release; failure to submit to a search may be grounds for revocation; the defendant shall warn any other residents that the premises may be subject to searches, pursuant to this condition.

CRIMINAL MONETARY PENALTIES

FINE

The defendant shall pay a fine in the amount of \$ _____, payable as follows:

- ☐ forthwith.
- ☐ in accordance with the Bureau of Prison's Financial Responsibility Program while incarcerated and thereafter pursuant to a schedule established by the U.S. Probation office, based upon the defendant's ability to pay and with the approval of the court.
- ☐ in accordance with a schedule established by the U.S. Probation office, based upon the defendant's ability to pay and with the approval of the court.
- ☒ other:
No fine imposed.

Defendant: Ryan D. Hesse
Case Number: 2:02-CR-00193-001-TC

Page 3 of 5

- ☐ The defendant shall pay interest on any fine more than \$2,500, unless the fine is paid in full before the fifteenth day after the date of judgment, pursuant to 18 U.S.C. § 3612(f).
- ☐ The court determines that the defendant does not have the ability to pay interest and pursuant to 18 U.S.C. § 3612(f)(3), it is ordered that:
- ☐ The interest requirement is waived.
- ☐ The interest requirement is modified as follows:

RESTITUTION

The defendant shall make restitution to the following payees in the amounts listed below:

<u>Name and Address of Payee</u>	<u>Amount of Loss</u>	<u>Amount of Restitution Ordered</u>
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Totals: \$ _____ \$ _____

(See attachment if necessary.) All restitution payments must be made through the Clerk of Court, unless directed otherwise. If the defendant makes a partial payment, each payee shall receive an approximately proportional payment unless otherwise specified.

- ☐ Restitution is payable as follows:
- ☐ in accordance with a schedule established by the U.S. Probation Office, based upon the defendant's ability to pay and with the approval of the court.
- ☐ other:

- ☐ The defendant having been convicted of an offense described in 18 U.S.C. § 3663A(c) and committed on or after 04/25/1996, determination of mandatory restitution is continued until _____ pursuant to 18 U.S.C. § 3664(d)(5) (not to exceed 90 days after sentencing).
- ☐ An Amended Judgment in a Criminal Case will be entered after such determination

SPECIAL ASSESSMENT

The defendant shall pay a special assessment in the amount of \$ 100.00, payable as follows:

☒ forthwith.

☐ _____

IT IS ORDERED that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid

Defendant: Ryan D. Hesse
Case Number: 2:02-CR-00193-001-TC

Page 4 of 5

PRESENTENCE REPORT/OBJECTIONS

The court adopts the factual findings and guidelines application recommended in the presentence report except as otherwise stated in open court.

RECOMMENDATION


- ☒ Pursuant to 18 U.S.C. § 3621(b)(4), the Court makes the following recommendations to the Bureau of Prisons:

The court recommends defendant be placed in a facility in Tucson, Arizona.

CUSTODY/SURRENDER

- ☒ The defendant is remanded to the custody of the United States Marshal.
- ☐ The defendant shall surrender to the United States Marshal for this district at _____ on _____.
- ☐ The defendant shall report to the institution designated by the Bureau of Prisons by _____ Institution's local time, on _____.

DATE: 3-17-2003



Tena Campbell
United States District Judge

Defendant: Ryan D. Hesse
Case Number: 2:02-CR-00193-001-TC

Page 5 of 5

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____
at _____, with a certified copy of this judgment.

UNITED STATES MARSHAL

By _____
Deputy U.S. Marshal

alt

United States District Court
for the
District of Utah
March 18, 2003

* * CERTIFICATE OF SERVICE OF CLERK * *

Re: 2:02-cr-00193

True and correct copies of the attached were either mailed, faxed or e-mailed by the clerk to the following:

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